

SUBSTANTIAL CONFORMANCE REVIEW CHECKLIST

MASTER STORM WATER SYSTEM MAINTENANCE PROGRAM

Purpose: This Substantial Conformance Review (SCR) Checklist is intended to be used by Development Services Department Staff as an aid in reviewing storm water system maintenance projects for consistency with the Site Development Permit (SDP) based on conformance with the Mitigation, Monitoring and Reporting Program (MMRP); the Master Maintenance Protocols contained in the Master Program; and the SDP Conditions.

Date:	May 1, 2018
Name of Preparer:	Jamie Kennedy
Phone Number:	619-527-3495
Email:	JMKennedy@sandiego.gov

ACTIVITY INFORMATION

Master Program Map #(s):	134
City Equipment #(s):	88000180
Creek Name:	Nestor Creek Channel
Watershed(s):	Otay River
Location:	The Nestor Creek channel is located in the Otay Mesa-Nestor Community Plan Area in the City of San Diego north of Palm Av, west of Cedar St.

DOCUMENTS INCLUDED IN CONSISTENCY DETERMINATION PACKAGE

Included	NA	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Maintenance Plan (IMP) – Appendix A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Biological Assessment (IBA) – Appendix B
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Historical Assessment (IHA) – Appendix C
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Hydrologic and Hydraulic Assessment (IHHA) – Appendix D
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Water Quality Assessment (IWQA) – Appendix E
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Individual Noise Assessment (INA) – Appendix F
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water Pollution Control Plan (WPCP) – Appendix G
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Habitat Mitigation and Monitoring Plan (HMMP) – Appendix H

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
Master Program PEIR Mitigation, Monitoring, and Reporting Program			
General Mitigation			
1	Have mitigation measures for impacts to biological resources, historical resources, land use, and paleontological resources, as appropriate, been included in entirety on the submitted maintenance documents and contract specifications, under the heading, "Environmental Mitigation Requirements"? (General Mitigation Measure 1)	Y	<p>Mitigation measures are included in the following SCR Appendices:</p> <ul style="list-style-type: none"> • Individual Maintenance Plan (IMP) - see Appendix A • Individual Biological Assessment (IBA) - see Appendix B • Individual Historic Assessment (IHA) – see Appendix C • Water Pollution Control Plan (WPCP) – see Appendix G <p>No mitigation measures are required for land use or paleontological resources.</p>
2	Is a Pre-maintenance Meeting required, including, as appropriate, the Mitigation Monitoring Coordinator (MMC), Storm Water Division (SWD) Project Manager, Biological Monitor, Historical Monitor, Paleontological Monitor, and Maintenance Contractor (MC), and other parties of interest? (General Mitigation Measure 2)	Y	As required by Note 3 under Master Storm Water System Maintenance Program (MMP) Protocol Requirements (Sheet 4 of the IMP), a pre-maintenance meeting will be scheduled in coordination with MMC prior to initiating project activities. A biological monitor, field engineer, planner, equipment operators/superintendent, qualified archaeologist and Native American monitor, and other key personnel conducting or involved in channel maintenance activities will be required and included in the pre-maintenance meeting.
3	Is there documented evidence of compliance with other permitting authorities (e.g., copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the Assistant Deputy Director [ADD] Environmental Designee), as applicable? (General Mitigation Measure 3)	Pending	<p>For this project, the following permits and other approvals are pending:</p> <ul style="list-style-type: none"> • Regional Water Quality Control Board (RWQCB) 401 Water Quality Certification • Army Corps of Engineers (ACOE) 404 Nationwide Permit • California Dept. of Fish and Wildlife (CDFW) 1600 Streambed Alteration Agreement (1602)
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
General Mitigation (cont.)			
4	Is there documented evidence of compliance with Section 1602 of the State of California Fish & Game Code (e.g., copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee), as applicable? (General Mitigation Measure 4)	Pending	As indicated in response to No. 3, an application for authorization under Section 1602 of the Fish and Game Code is pending.

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
Biological Resources			
5	Has a qualified biologist prepared an IBA for each area proposed to be maintained in accordance with the specifications included in the Master Program? (Mitigation Measure 4.3.1)	Y	The IBA (Appendix B) was prepared in 2018 by HELIX biologists meeting the qualifications specified in the City of San Diego Guidelines for Conducting Biology Surveys (June 2012 revision), and covers each area proposed to be maintained in accordance with the specifications in the MMP. This IBA provides a summary for two rounds of past emergency maintenance and proposed future routine maintenance activities within Map 134. Emergency maintenance within Map 134 occurred in 2010 and 2016 and maintenance is proposed in 2018. An IBA was prepared by HELIX in 2010 for the maintenance that year; an IBA was not prepared in 2016 due to the emergency nature of the project.
6	Have the IMPs and IBAs for maintenance activities within a proposed annual maintenance program been approved by the City's Assistant Deputy Director (ADD) Environmental Designee and state and federal agencies with jurisdiction over maintenance activities? (Mitigation Measure 4.3.2)	TBD	<i>Note: Requires verification from City's MMC to satisfy this requirement prior to initiation of any proposed annual maintenance activity.</i>
7	Has an IBA been prepared by a qualified biologist for each proposed maintenance activity, including the required contents? (Mitigation Measure 4.3.3)	Y	See response to No. 5.
8	Has a mitigation account been established to provide sufficient funds to implement all biological mitigation associated with the proposed maintenance act? (Mitigation Measure 4.3.4)	Y	The mitigation efforts associated with this project will be funded by the T&SWD's annual budget. A Departmental Internal Order (I/O) number/account has been set up to track mitigation costs to allocate appropriate funding to implement associated biological mitigation projects.
9	Has evidence been provided documenting approval of the proposed maintenance by permitting authorities? (Mitigation Measure 4.3.5)	Pending	T&SWD will provide final authorization to comply with permitting authorities prior to final approval.
10	Does the IMP call for a pre-maintenance meeting, if identified in the associated IBA? (Mitigation Measure 4.3.6)	Y	See response to No. 2.

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
Biological Resources (cont.)			
11	Does the IBA for each proposed maintenance activity identify appropriate wetland mitigation measures according to the ratios identified in Table 4.3-10? (Mitigation Measure 4.3.9)	Y	Impacts to City and Coastal wetlands from the 2010 and 2016 emergencies and the proposed 2018 maintenance will require 1.43 acres of mitigation. These include impacts to vegetation in concrete-lined channels. Impacts to disturbed wetland (disturbed land, non-native riparian, and ornamental/non-native vegetation) consisting of pure stands of non-native species such as Mexican fan palm, giant reed, and castor bean, do not require compensatory mitigation under condition 9e of the Master CDP, which is applied to all impacts under the terms of the Settlement Agreement, nor require mitigation under the City's Significance Determination Thresholds. Wetland mitigation will be provided at a 4:1 ratio for freshwater marsh and disturbed wetland, 3:1 for southern willow scrub, and 2:1 for natural flood channel, consisting of a minimum 1:1 restoration or creation component, to comply with SDP 1134892. The City Biology Guidelines preference for natural flood channel and Disturbed Wetlands is out-of-kind mitigation with better habitat. The IBA also describes mitigation for impacts to USACE, RWQCB, and CDFW jurisdictional resources.
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
Biological Resources (cont.)			
12	Have wetland mitigation plans and enhancement and/or restoration plans been prepared and submitted to the DSD pursuant to the requirements described in Mitigation Measure 4.3.10? Are they consistent with Appendix H of the Biological Technical Report (BTR) contained in Appendix D.3 of the PEIR? (Mitigation Measure 4.3.10)	Y	The mitigation site for wetland impacts for Map 134 is proposed at the Hollister Quarry Mitigation Parcel in the Otay Valley Regional Park. The location of the mitigation site is shown on Figure 8 of the IBA. A wetland mitigation plan, the Draft Conceptual Aquatic Resource HMMP (HELIX, May 2018) has been prepared in accordance with the Conceptual Wetland Restoration Plan contained in Appendix H of the Biological Technical Report, included as Appendix D.3 of the PEIR.
13	Would upland impacts be compensated through payment into the City's Habitat Acquisition Fund, or through acquisition and/or preservation of land in accordance with the ratios and requirements identified in Table 4.3-11? (Mitigation Measure 4.3.11)	NA	As identified in Appendix B – IBA, impacts to upland communities were restricted to disturbed land and developed land and thus no impacts to sensitive uplands occurred as a result of emergency maintenance in 2010 or 2016. Impacts to sensitive uplands are not proposed for 2018 maintenance. Therefore, no mitigation will be required for upland communities.
14	If the maintenance activity would result in loss of habitat for the coastal California gnatcatcher, is mitigation planned (i.e., through the acquisition of suitable habitat or mitigation credits within the MHPA at	NA	Coastal California gnatcatchers were not identified as a listed animal species with a moderate to high potential to be impacted in

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
	a ratio of 1:1, to be accomplished within six months of the date of maintenance completion? (Mitigation Measure 4.3.12)		Appendix B – IBA. Thus, maintenance would not impact this species and mitigation is not required.
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
Biological Resources (cont.)			
15	<p>If sensitive biological resources may be impacted, would the monitoring biologist be able to verify that the following actions have been taken:</p> <ul style="list-style-type: none"> • Has fencing, flagging, signage, or other means to protect sensitive resources been implemented? • Are noise attenuation measures needed to protect sensitive wildlife in place and effective? • Have nesting raptors been identified and necessary maintenance setbacks have been established if maintenance is to occur between February 1 and August 1? <p>(Mitigation Measure 4.3.13)</p>	Y	<p>All sensitive biological resources to remain within or adjacent to the maintenance area prior to initiation of maintenance activities will be flagged and delineated, in accordance with the site-specific IBA, IHHA, and/or IMP (see Appendix B, Mitigation).</p> <p>Pre-maintenance surveys would be conducted if maintenance activities occur during the breeding season of state or federally listed birds, raptors and other birds protected by the Migratory Bird Treaty Act. If active nests are found, setbacks identified in the IBA would be respected as long as the nests are active (see Appendix B, Mitigation section).</p>
16	Have off-site mitigation areas been reviewed to determine if the mitigation would have a significant impact on biological resources located within the disturbance area of the mitigation? If so, have appropriate mitigation measures been proposed to reduce these impacts to below a level of significance? (Mitigation Measures 4.3.14)	Y	See response to No. 12. The mitigation site for wetland impacts for Map 134 is proposed at the Hollister Quarry Mitigation Parcel in the Otay Valley Regional Park. A wetland mitigation plan, the Hollister Quarry Mitigation Site Draft Conceptual Aquatic Resource HMMP (HELIX, May 2018), has been prepared in accordance with the Conceptual Wetland Restoration Plan contained in Appendix H of the Biological Technical Report, included as Appendix D.3 of the PEIR. The HMMP did not find that the disturbance area of the off-site mitigation area would result in significant impacts to biological resources.
17	Does the IBA discuss appropriate actions to offset impacts to listed or endemic sensitive plant species? (Mitigation Measure 4.3.15)	NA	No endemic sensitive plants species would be impacted by maintenance.
18	Would maintenance activities meet setback requirements for sensitive species? (Mitigation Measure 4.3.16)	Y	If maintenance is planned during the raptor nesting season, pre-maintenance surveys would be conducted and maintenance setback buffers established around active nests in accordance with the mitigation included in the IBA.
19	Would clearing, grubbing, or grading (inside and outside the MHPA) be restricted during the breeding season of the listed species? Have protocol surveys been conducted for other potentially occurring sensitive species? If observed, have adequate mitigation measures been identified in the IBA? (Mitigation Measure 4.3.17)	Y	As indicated in response to No. 18, impacts to nesting raptors could occur if maintenance is conducted during the raptor breeding season. The Mitigation section of the IBA includes mitigation measures to avoid direct impacts and noise impacts to nesting raptors. Notes 5 and 7 under MMP Protocol Requirements

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			on Sheet 4 of the IMP includes measures to avoid impacts nesting raptors.
20	Has evidence been submitted to document that protocol surveys have been conducted for potentially occurring sensitive bird species? (Mitigation Measure 4.3.18)	Y	As described in Appendix B, biological surveys were conducted of the maintenance area. No sensitive bird species were identified, no suitable habitat was identified, and no further protocol surveys were required.
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
Biological Resources (cont.)			
21	Has the IBA included appropriate mitigation measures when the potential exists for a sensitive bird species to occur near a proposed maintenance area and no protocol surveys have been conducted? (Mitigation Measures 4.3.19, 20 and 21)	Y	See response to No. 19 for mitigation measures for sensitive bird species.
22	Would removal of any eucalyptus trees or other trees used by raptors for nesting be proposed within the maintenance area? If yes, would maintenance include appropriate setbacks and limitations? (Mitigation Measure 4.3.22)	N	Eucalyptus trees or other trees used by raptors for nesting would not be removed within the maintenance area.
23	Would maintenance activities occur at known localities for listed fish species? If yes, would maintenance include appropriate mitigation? (Mitigation Measure 4.3.23)	N	There are no known listed fish species occurring within the project area.
24	Would maintenance activities occur within areas supporting listed and/or narrow endemic plants? If yes, would maintenance proceed as described in Mitigation Measure 4.3.24?	N	Listed/narrow endemic plants are not present in segments proposed for maintenance.
25	If maintenance is proposed during the nesting season of avian species, including those species not covered by the MSCP, does the IBA require maintenance within or adjacent to avian nesting habitat occur outside of the avian breeding season (January 15 to August 31) unless postponing maintenance would result in a threat to human life or property? (Mitigation Measure 4.3.25)	Y	The IBA and IMP require specific measures to protect sensitive wildlife from adverse impacts related to maintenance including setbacks from active nests (see Notes 5 and 7 under MMP Protocol Requirements on Sheet 4 of the IMP, and the Mitigation section of Appendix B). If maintenance is conducted during the nesting season, these measures would be followed.
Historical Resources			
26	Has a qualified archaeologist determined the potential for significant historical resources to occur in the maintenance area and prepared an IHA? (Mitigation Measure 4.4.1)	Y	A qualified archaeologist has prepared an IHA (Appendix C) to document resource potential in the maintenance area. The IHA determined that the project's staging area is located in an area of moderate cultural sensitivity.
27	Has an Individual Historical Assessment (IHA) been prepared for the proposed maintenance? (Mitigation Measure 4.4.1)	Y	An IHA has been prepared in compliance with the City of San Diego Historical Resources Guidelines and MMP (see Appendix C). As stated on page 5 of the IHA, although the potential for archaeological resources to occur within the reach is low, the project's staging area is located in an area of moderate

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
			cultural sensitivity due to its location 67 feet (20 meters) from a previously recorded cultural site.
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
Historical Resources (cont.)			
28	If required, has a field survey of the maintenance activity APE been performed by a qualified archaeologist and a Native American monitor? (Mitigation Measure 4.4.1)	Y	A field survey was completed by qualified archaeological consultants, which included archaeologists from HELIX Environmental Planning, Inc. and a Native American Monitor from Red Tail Monitoring and Research. The results of the survey, which did not observe archaeological resources, are included in the IHA in Appendix C.
29	Has a record search been requested from the South Coastal Information Center (SCIC)? (Mitigation Measure 4.4.1)	Y	A full records search was conducted from the SCIC in September 2015 for the Nestor Creek channels, and the records search was updated in December 2016. See Appendix C – IHA.
30	Has an archaeological testing program been performed based on the City's Historical Resources Guidelines? (Mitigation Measure 4.4.1)	NA	As stated on page 8 of the IHA, no cultural resources were identified within the maintenance area. Since MM 4.4.1 states 'the archaeologist shall conduct an archaeological testing program for any identified historical resources,' and since no historic resources have been identified, testing is not required.
31	Have significant historical resources been identified within the proposed maintenance activity APE? If yes, address criteria numbers 32 through 38. If no, proceed to criteria number 39 (Mitigation Measures 4.4.1 and 4.4.2)	Y	There are no known significant resources within the APE. However, as stated on page 5 of the IHA, although no known significant resources occur within the APE, the project's staging area is located in an area of moderate cultural sensitivity due to its location 67 feet (20 meters) from a previously recorded cultural site. Therefore, Mitigation Measure 4.4.2 would be implemented and No. 32 through 38 are addressed below.
32	Has a Principal Investigator (PI) been selected and approved by the SWD and ADD Environmental Designee? (Mitigation Measure 4.4.2.1)	TBD	A PI will be selected and approved to satisfy this requirement prior to initiation of any proposed annual maintenance activity, pending required verification of the PI from the City's MMC.
33	Have mitigation recommendations from the IHA been incorporated into the IMP to the satisfaction of the PI and the ADD Environmental Designee? (Mitigation Measure 4.4.2.2)	TBD	Mitigation recommendations from the IHA would be incorporated into the IMP to the satisfaction of the PI to satisfy this requirement prior to initiation of any proposed annual maintenance activity, pending required verification of the PI from the City's MMC.
34	If impacts to significant historical resources cannot be avoided, has the PI prepared and implemented an Archaeological Research Design and Data Recovery Program (ARDDRP) for the affected resources, with input from a Native American consultant (approved by the ADD Environmental Designee? (Mitigation Measure 4.4.2.3)	TBD	Pending required verification of the PI from the City's MMC to satisfy the requirements under No. 32, 33, and 35, and pending impacts to significant historical resources that cannot be avoided, the PI would prepare and implement an ARDDRP for the affected resources, with input from a Native American consultant.

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
35	Has a pre-maintenance meeting been planned and/or conducted on site, including representatives from the PI, Native American consultant, SWD, MMC, Resident Engineer (RE), and MC? (Mitigation Measure 4.4.2.4)	TBD	A pre-maintenance meeting will be planned and conducted on site to satisfy this requirement prior to initiation of any proposed annual maintenance activity, pending required verification of the PI from the City's MMC.
36	If human remains have been discovered in the course of conducting the ARDDRP, would the procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) be implemented? (Mitigation Measure 4.4.2.5)	TBD	Pending required verification of the PI from City's MMC to satisfy the requirements under No. 32, 33, and 35, and pending discovery of human remains in the course of conducting the ARDDRP, the procedures set forth in the Public Resources Code and Safety Code would be implemented.
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
Historical Resources (cont.)			
37	Will the PI and Archaeologist assume required responsibilities? (Mitigation Measures 4.4.2.6, 4.4.2.7, and 4.4.2.8)	TBD	Pending verification of the PI from City's MMC to satisfy the requirements under No. 32 through 36, the PI and Archaeologist will assume the required responsibilities from Mitigation Measures 4.4.2.6 through 4.4.2.8.
38	If the IHA identifies a moderate to high potential for the occurrence of significant historical resources within the APE, would mitigation measures be implemented? (Mitigation Measure 4.4.3)	Y	The IHA identified a moderate to high potential for historical resources as the project's staging area is located in an area of moderate cultural sensitivity due to its location 67 feet (20 meters) from a previously recorded cultural site. Mitigation measures, as described on Page 5 of the IHA and included in the IMP, would be implemented.
Land Use			
39	Has the ADD Environmental Designee verified that all MHPA boundaries and limits of work have been delineated on all maintenance documents? (Mitigation Measure 4.1.1)	NA	The MHPA is located approximately 2,250 feet (500 meters) north of Reach 1. Due to this distance from the maintenance area, maintenance work would not extend into the MHPA and it is not included on the IMP sheets.
40	Has a qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) recovery permit) surveyed habitat areas inside and outside the MHPA suspected to serve as habitat for the coastal California gnatcatcher, least Bell's vireo and/or other listed species? (Mitigation Measure 4.1.2)	NA	As indicated in the IBA and Response No. 39, the MHPA is located approximately 2,250 feet (500 meters) north of Map 134. Maintenance would not be adjacent or within the MHPA, and there would be no direct or indirect impacts to MHPA. Therefore, areas within the MHPA were not surveyed. Furthermore, the IBA concludes that no habitat for sensitive species occurs within 750 feet of the proposed maintenance.
41	Has a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) performed a noise analysis for the proposed maintenance activity? (Mitigation Measure 4.1.3)	NA	A noise analysis is required if a listed species is located within 750 feet of a proposed maintenance activity. As identified in Appendix B, listed species were not identified within 750 feet of the proposed maintenance. An abbreviated Individual Noise Assessment (INA) is included as Appendix F.

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No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
42	Would the proposed maintenance have the potential to impact breeding activities of listed species? If yes, would maintenance activities be restricted to outside the breeding season? (Mitigation Measure 4.1.4)	Y	The IBA concludes that maintenance activities could impact the nesting raptors and other MBTA birds. As indicated in response to No. 19, mitigation measures would be implemented during the breeding season to protect sensitive birds from significant impacts.
43	If maintenance cannot be avoided during an identified breeding season for a listed bird which is determined to be potentially significantly affected by maintenance, would the appropriate measures be taken? (Mitigation Measure 4.1.5)	NA	As indicated in response to No. 20, no listed birds are expected to occur in the maintenance area. Therefore, no mitigation measures are required.
44	Has a pre-maintenance meeting been planned and/or conducted, including the MC, Project Biologist, and City representative? (Mitigation Measure 4.1.6)	Y	A pre-maintenance meeting will be scheduled in coordination with MMC prior to initiating project activities. A biological monitor will be required and included in the pre-maintenance meeting. See response to No. 2 for more information.
Master Program PEIR Mitigation, Monitoring, and Reporting Program (cont.)			
Land Use (cont.)			
45	Does the IMP include appropriate maintenance designs? (Mitigation Measure 4.1.7)	Y	Notes under MMP Protocol Requirements on Sheet 4 of the IMP include the design measures specified by Mitigation Measure 4.1.7. Notes 10 through 19 under MMP Protocol Requirements will control trash and maintenance equipment servicing byproducts. In addition, Note 4 of the MMP Protocol Requirements section contains provisions to preclude introduction of invasive plants. The IMP also limits maintenance access and staging to disturbed areas.
46	Has the ADD Environmental Designee verified that the MHPA boundaries and the requirements regarding coastal California gnatcatcher been included in the IMP and/or IBA? (Mitigation Measure 4.1.8)	NA	As indicated in response to No. 14, no suitable habitat for coastal California gnatcatcher will be impacted by the proposed maintenance. In addition, as indicated in response to No. 39, the maintenance areas will not be adjacent to or within an MHPA boundary.
Master Program Protocols			
Water Quality			
47	Does the IMP include measures to stabilize designated access roads (or other graded areas) with permeable protective surfacing (e.g., grasscrete), storm water diversion structures (e.g., brow ditches or berms), or crossing structures (e.g., culverts) to control erosion and prevent off-site sediment transport? (WQ-1)	NA	Staging areas were set up in disturbed habitats or developed areas. Notes 14, 15, 16, and 19 of MMP Protocol Requirements on Sheet 4 of the IMP describes measures to prevent off-site sediment transport, such as berms.
48	Does the IMP include measures to prevent off-site sediment transport during maintenance through the use erosion and sediment controls within storm water facilities, along access routes and around stockpile/staging areas? Will temporary erosion or sediment control	Y	Note 14 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.

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	measures be removed upon completion of maintenance unless their removal would result in greater environmental impact than leaving them in place? (WQ-2)		
49	Does the IMP require storage of BMP materials on-site in a way that provides complete protection of exposed areas and prevent off-site sediment transport? (WQ-3)	Y	Note 15 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.
50	Does the IMP require training for personnel responsible for the proper installation, inspection, and maintenance of on-site BMPs? (WQ-4)	Y	Note 16 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.
51	Does the IMP require revegetation of spoil and staging areas within 30 days of completion of maintenance activities? Does it require monitoring and maintenance of revegetated areas for a period of not less than 25 months following planting? (WQ-5)	NA	The project would not require revegetation of staging areas, as staging areas would occur within flat developed and disturbed land.
Master Program Protocols (cont.)			
Water Quality (cont.)			
52	Does the IMP require sampling and analysis; monitoring and reporting; and post-maintenance management programs per National Pollutant Discharge Elimination System (NPDES) and/or City requirements? (WQ-6)	NA	The project is not subject to NPDES requirements because the NPDES General Construction Permit excludes projects that consist of “routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility” activities (for more information, see Appendix G – WPCP, page 3 and DS form 560).
53	Does the IMP prohibit storing hazardous materials used during maintenance within 50 feet from storm water facilities? Does it require hazardous materials to be managed and stored in accordance with applicable local, state and federal regulations? (WQ-7)	Y	Note 17 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.
54	Does the IMP prohibit storage of maintenance-related trash in areas within 50 feet from storm water facilities, and require removal of trash in receptacles at least weekly? (WQ-8)	Y	Note 18 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.
55	Does the IMP require installation of any check dam or other comparable mechanism identified in the corresponding IHHA? Are these structures required to be removed when vegetation growth has reached a point where the structure is no longer required unless removal would result in greater environmental harm than leaving them in place? (WQ-9)	N	The IHHA (Appendix D) determined that, based on the non-erosive velocities and the limited capacity of the channel, check dams were not necessary to reduce velocities.
56	Does the IMP require inspection of earthen-bottom storm water facilities within 30 days of the first 2-year storm following maintenance? Are erosion control measures recommended by the field engineer incorporated into the IMP? (WQ-10)	Y	Note 19 under MMP Protocol Requirements on Sheet 4 of the IMP requires inspection of earthen-bottom storm water facilities within 30 days of the first 2-year storm following maintenance and implementation of appropriate remedial erosion control measures.

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57	Does the IMP incorporate mitigation measures identified in the IWQA and/or Table 4.8-8 of the PEIR?	NA	The IWQA determined there were no negative impacts to water quality associated with channel maintenance; therefore, no mitigation measures were identified in the IWQA. The City will implement general water quality improvement activities, as described in responses to No. 47 through 56.
Master Program Protocols (cont.)			
Biological Resource Protection			
58	Does the IMP restrict vehicles to access designated in the Master Program? (BIO-1)	Y	Note 1 under MMP Protocol Requirements on Sheet 4 of the IMP requires all vehicles to remain in the access areas designated in the MMP.
59	Does the IMP require delineation and flagging of all sensitive biological resources to remain within or adjacent to the maintenance area? (BIO-2)	Y	Note 2 under MMP Protocol Requirements on Sheet 4 of the IMP requires flagging of all sensitive biological resources to remain within or adjacent to the maintenance area.
60	Does the IMP require a pre-maintenance meeting when maintenance will occur within or adjacent to sensitive biological resources? (BIO-3)	Y	Note 3 under MMP Protocol Requirements on Sheet 4 of the IMP requires a pre-maintenance meeting.
61	Are erosion control measures designed to avoid introduction of invasive plant species? (BIO-4)	Y	Note 4 under MMP Protocol Requirements on Sheet 4 of the IMP identifies erosion control measures to be implemented during maintenance.
62	Does the IMP require conducting pre-Master Maintenance Protocol surveys if maintenance is proposed during the breeding season of a sensitive animal species? (BIO-5)	Y	See Note 5 under MMP Protocol Requirements on Sheet 4 of the IMP.
63	If arundo will be removed during maintenance, does the IMP include appropriate removal methods to minimize downstream dispersal? (BIO-6)	Y	Note 6 under MMP Protocol Requirements on Sheet 4 of the IMP includes protocols for removal of arundo.
64	Does the IMP prohibit the use of mechanized maintenance within 300 feet of a Cooper's hawk nest, 900 feet of a northern harrier's nest, or 500 feet of any other raptor's nest until any fledglings have left the nest? (BIO-7)	Y	Note 7 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.
65	Does the IMP include measures to minimize the potential for entrapping wildlife when implementing erosion control measures? (BIO-8).	NA	No erosion control measures are associated with the maintenance that would pose a substantial risk of entrapping wildlife.
Historical Resource Protection			
66	Does the IMP call for flagging, capping, or fencing of all historical resource areas in the field prior to initiation of maintenance activities in the presence of a qualified historical resource specialist, as necessary)? (HIST-1)	Y	Note 8 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.

SUBSTANTIAL CONFORMANCE REVIEW CHECKLIST MASTER STORM WATER SYSTEM MAINTENANCE PROGRAM

No.	Measure/Criteria	Y/N/NA	Basis for Determination (attach separate sheet(s) as necessary)
67	Does the IMP require a pre-maintenance meeting on-site when maintenance activities are determined in the IHA to potentially impact historic resources? (HIST-2)	Y	Note 9 under MMP Protocol Requirements on Sheet 4 of the IMP includes this requirement.
Master Program Protocols (cont.)			
Waste Management			
68	Does the IMP call for disposal of compostable green waste material at an approved composting facility, if available? (WM-1)	Y	Note 10 under MMP Protocol Requirements on Sheet 4 of the IMP meets this requirement.
69	Does the IMP call for screening of soil, sand, and silt to remove waste debris and, wherever possible, to be re-used as fill material, aggregate, or other raw material? (WM-2)	Y	Note 11 under MMP Protocol Requirements on Sheet 4 of the IMP meets this requirement.
70	Does the IMP call for separation and transport of waste tires to an appropriate disposal facility, including the completion of a Comprehensive Trip Log (CTL) if more than nine tires are in a vehicle or waste bin at any one time? (WM-3)	Y	Note 12 under MMP Protocol Requirements on Sheet 4 of the IMP meets this requirement.
71	Does the IMP require hazardous materials encountered during maintenance to be logged under a hazardous materials manifest and transported to an approved hazardous waste storage, recycling, treatment or disposal facility? (WM-4)	Y	Note 13 under MMP Protocol Requirements on Sheet 4 of the IMP meets this requirement.